

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JERRY LEE KING,

Plaintiff,

v.

B. GATES, et al.

Defendants.

No. 1:23-cv-01245-KES-SAB (PC)

ORDER DENYING PLAINTIFF'S MOTION
TO ENFORCE SETTLEMENT AGREEMENT
AS PREMATURE

(ECF No. 28)

On February 4, 2025, this action was terminated pursuant to the parties' stipulation for voluntary dismissal following a successful settlement conference before Magistrate Judge Helena M. Barch-Kuchta. (ECF Nos. 25, 26, 27.)

On July 21, 2025, Plaintiff filed a request to enforce the settlement agreement indicating that he yet to receive the settlement funds. (ECF No. 28.) Following the court's order, Defendants filed a response to Plaintiff's request on July 29, 2025. (ECF Nos. 29, 30.)

Defendants submit that pursuant to the settlement agreement they have "180 days from the date Plaintiff delivered to Defendants a signed settlement agreement, a notice of voluntary dismissal with prejudice, and all of the required Payee Data Forms." (Declaration of Jean Trenbeath ¶ 2.) Defendants further submits that the payment is currently being processed and is expected to be paid to Plaintiff by August 5, 2025-180 days after receipt of all necessary documentation. (Id. ¶ 4.)

1 Inasmuch as the deadline for Defendants to tender the settlement funds has yet to expire
2 and is scheduled to be paid by the 180-day deadline, Plaintiff's current motion to enforce the
3 settlement agreement is DENIED as premature.

4
5 IT IS SO ORDERED.
6

Dated: July 30, 2025



STANLEY A. BOONE
United States Magistrate Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28